



Docket No.
65369-BA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Mohammad R. Marzabadi, et al.** Group Art Unit: **1625**

Application No.: **10/719,358**

Examiner: **Celia C. Chang**

Filed: **November 21, 2003**

For: **SUBSTITUTED ANILINIC PIPERIDINES AS MCH SELECTIVE
ANTAGONISTS**

Date: **August 30, 2005**

**CERTIFICATE OF MAILING
BY "FIRST CLASS MAIL" (37 C.F.R. § 1.8)**

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

I hereby certify that the following correspondence:

**Communication Submitting Combined Declaration and Power of Attorney (2 pgs); copy of
executed Combined Declaration and Power of Attorney (4 pgs); and return postcard**

is being deposited on **August 30, 2005** with the United States Postal Service
as first class mail in an envelope bearing sufficient postage thereon and addressed to:

**Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450.**

Mary Johnson

(Typed Or Printed Name Of Person Mailing Correspondence)

(Signature Of Person Mailing Correspondence)



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215 College Road
Paramus, New Jersey
August 30, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION SUBMITTING COMBINED DECLARATION

AND POWER OF ATTORNEY

Dear Sir:

This Communication is being submitted after receipt of Notice of Allowance and payment of the Issue Fee in connection with the above-identified application. The Notice of Allowance was issued June 1, 2005. The Issue Fee Payment due on September 1, 2005 was timely filed on August 5, 2005.

A Declaration and Power of Attorney was originally filed on July 3, 2002 with U.S. Serial No. 10/188,434 from which the instant application claims priority. A copy of such Declaration and Power of Attorney was filed in connection with U.S. Serial No. 10/719,358 on November 21, 2003. Upon Applicants' review of the file, it was revealed that the date of execution of the signature of coinventor John Wetzel was omitted.

Regarding the Declaration date of execution, MPEP §602.05 recites:

The Office no longer checks the date of execution of the oath or declaration and the Office will no longer require a newly executed oath or declaration based on an oath or declaration being stale (that is when the date of execution is more than 3 months prior to the filing date of the application) or where the date of execution has been omitted.

Although a newly executed declaration is not required where the date of execution has been omitted, Applicants hereby submit a fully executed Combined Declaration and Power of Attorney (attached hereto) in connection with the above-identified application. Applicants maintain that the filing of a new Combined Declaration and Power of Attorney is not to be considered an amendment under 37 §CFR 1.312 and the Declaration is being filed as a matter of right pursuant to MPEP §603.01. Accordingly, please place the Combined Declaration and Power of Attorney in the file of U.S. Serial No. 10/719,358.

If a telephone interview would be of assistance, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

No fee is deemed necessary in connection with the filing of this Combined Declaration and Power of Attorney. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 50-3201.

Respectfully submitted,



Stephen G. Kalinchak
Registration No. 38,747
Lundbeck Research USA, Inc.
215 College Road
Paramus, New Jersey 07652
(201) 261-1331 (phone)
(201) 986-9106 (fax)